

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

D.C., a Minor, etc., et al.,

Plaintiffs and Respondents,

v.

R.R., a Minor, etc., et al.,

Defendants and Appellants.

B207869

(Los Angeles County
Super. Ct. No. BC332406)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed on March 15, 2010, be modified as follows:

On page 33 of the typed opinion [2010 Cal.App. LEXIS 340, p.*61, 2010 WL 892204, p.*22], at the end of the first full paragraph (which begins “Where a plaintiff seeks relief” and ends “hate crimes laws and the common law.”), add the following sentences, which will then conclude the paragraph:

In that respect, the anti-SLAPP statute mandates an award of attorney fees to a *prevailing defendant* (§ 425.16, subd. (c)), but the hate crimes laws permit an award of attorney fees only to a *prevailing plaintiff* (Civ. Code, §§ 52, subd. (b)(3), 52.1, subd. (h)). The attorney fees provisions of the hate crimes laws ““encourage injured parties to broadly and effectively enforce [those laws]”” (*D.C. v. Harvard-Westlake School*, *supra*, 176 Cal.App.4th at p. 865), while the anti-

SLAPP statute, if it applies to this and similar cases, would have the opposite effect (see *id.* at pp. 865–866).

There is no change in the judgment.

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MALLANO, P. J.

JOHNSON, J.